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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/708,093	11/08/2000	Arto Astala	017.38958PX1	9916
22907	7590	05/23/2006	EXAMINER	
BANNER & WITCOFF 1001 G STREET N W SUITE 1100 WASHINGTON, DC 20001			BLACKWELL, JAMES H	
			ART UNIT	PAPER NUMBER
			2176	

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/708,093

Applicant(s)

ASTALA ET AL.

Examiner

James H. Blackwell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 24 February 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 02/24/2006 has been entered.
2. The priority date is **06/30/2000**.
3. Claims 1-23 remain pending in this application. Claims 1, 6 and 16 are independent claims.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 6, 11-12, 14, 16 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayers et al. (hereinafter Ayers, "Using Graphic History in Browsing the World Wide Web", Proc. 4<sup>th</sup> Intl. WWW Conf. Boston, December 1995) in view of Bukszar et al. (hereinafter, Bukszar, U.S. Patent No. 6,133,916), and in further view of Weiss et al. (hereinafter Weiss, U.S. Provisional Patent Application No. 60/184331 filed 02/23/2000).

**In regard to independent Claim 1 (and similarly independent Claim 6), Ayers** teaches *accessing a Web Page by a user* in that while a user browses a document collection, a thumbnail history is passively created (p. 4, 2<sup>nd</sup> paragraph).

Ayers also teaches *reducing the size of the accessed web page to a thumbnail snapshot* in that MosaicG uses thumbnail images of the documents to allow the user of a browser to quickly recognize a page or a set of pages in the tree (p. 4, 4<sup>th</sup> paragraph).

Ayers fails to explicitly teach *displaying the thumbnail snapshot of the accessed web page to the user in an area of a screen containing only history information*.

However, Bukszar teaches a tiled screen area (44) that displays graphical representations of web pages (thumbnails) (46A-E) downloaded over the network and

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stored in the cache (28) (Col. 3, lines 37-45). Note that this display area (44) can contain other items relating to the cached pages (Col. 3, lines 45-64). However, all of these variations pertain to web pages previously looked at (a history) and the region containing the history is not used for anything else. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers and Bukszar as both inventions relate to the display of accessed web pages as thumbnail images. Adding the teaching of Bukszar provides the benefit of immediate access to a preferred set of previously accessed web page.

Neither of Ayers or Bukszar teaches the limitation of *comparing the accessed web page content to a previously accessed web page content* or displaying the thumbnail snapshot of the accessed web page to the user in an area of a screen containing only history information, *if the accessed web page content and the previously accessed web page consent are not the same*. However, Weiss teaches generating thumbnails of web pages listed in search results and discusses the desire to not include identical search results. From this, one would conclude that since it is desirable to avoid generating duplicate search results, of which a part of the result manifests itself as a thumbnail of the web page, that thumbnails are only generated for results that are identical or at least unique to compliment other content returned to the user as the result of a query to a search engine (see Pgs. 3-5, starting with section entitled "Problems with the search results" through section entitled "Other reasons for pre-processing search results"). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers, Bukszar, and Weiss as all three inventions

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relate to thumbnail images of web pages used to assist a user. Adding the teaching of Weiss prevents the user from accumulating/storing multiple copies of thumbnails and associated information that is identical.

**In regard to dependent Claim 11 (and similarly dependent Claim 21), Ayers** teaches *the area of a screen containing only history information displays a plurality of thumbnail snapshots of previously accessed web pages simultaneously* in that an overview of the Graphics History View, containing thumbnails depicting a history of web pages visited during a browsing session (p. 3, Fig. 1).

**In regard to dependent Claims 12 (and similarly dependent Claims 14, and 22), Ayers** fails to explicitly teach *that the screen is embodied in a cellular phone or a personal digital assistant*. However, Bukszar teaches that a display is connected to the computer. The computer may be any personal computer, laptop, palmtop, workstation, mainframe, etc. The display monitor may be any suitable display console as is known in the art including a CRT, LCD, flat panel, etc. (Col. 3, lines 6-10). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers and Bukszar as both inventions relate to the display of accessed web pages as thumbnail images. Adding the teaching of Bukszar provides the benefit of specific devices and displays to carry out the invention of Ayers.

**In regard to independent Claim 16,** Claim 16 reflects the method of presenting and managing a history of web pages accessed as claimed in Claim 1 (and similarly Claim 6), and is rejected along the same rationale.

In addition, Ayers does not explicitly teach *a processor or a screen*. However, Bukszar teaches a computer (20) with a display (30) (Fig. 3). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers and Bukszar as both inventions relate to the display of accessed web pages as thumbnail images. Adding the teaching of Bukszar provides the benefit of specific hardware to carry out the invention of Ayers.

6. Claims 2, 7, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayers in view of Bukszar, and in further view of Weiss, and in further view of Hightower et al. (hereinafter Hightower, "Graphical Multiscale Web Histories: A Study of PadPrints", ACM Hypertext Conf., June 20-24, 1998).

**In regard to dependent Claim 2 (and similarly dependent Claims 7, and 17),** neither Ayers nor Bukszar nor Weiss specifically teaches *checking a history file to determine if the accessed web page is in the history file; and reducing the size of the web page only when the accessed web page is not in the history file*. However, Hightower teaches that PadPrints adds a new page to the graphical hierarchy or, if the URL is already present in the hierarchy, marks the existing page with a yellow outline to denote it as the current page (p. 2 of 8, 3<sup>rd</sup> paragraph). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers, Bukszar, Weiss, and Hightower as all of these inventions relate to the display of thumbnail versions of web pages.. The benefit provided by Hightower allows for the document tree to use less space in the history window for displaying thumbnails.

7. Claims 3-4, and 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayers in view of Bukszar and in further view of Weiss, and in further view of Hightower, and in further view of Collins-Rector et al. (hereinafter Collins-Rector, U.S. Patent No. 6,188,398 filed 06/02/1999).

**In regard to dependent Claim 3 (and similarly dependent Claim 8),** none of Ayers, Bukszar, Weiss, or Hightower teaches that *the thumbnail snapshot is displayed to the user in a toolbar*. However, Collins-Rector teaches a clickable button or thumbnail of an advertisement that appears in the toolbar frame as a new ad banner appears in another frame. These buttons can be selected to obtain further information about an item that appeared in the banner ad represented by the button (Col. 2, lines 54-62). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers, Bukszar, Weiss, Hightower and Collins-Rector because all of these inventions relate to graphically depicting web page thumbnails. Adding the teaching of Collins-Rector provides the benefit of allowing the thumbnails to additionally be displayed in a toolbar.

**In regard to dependent Claim 4 (and similarly dependent Claim 9),** none of Ayers, Bukszar, Weiss, or Hightower teaches that *the toolbar is able to scroll and display a plurality of thumbnail snapshots from the most recent to the least recent*. However, Collins-Rector teaches that the number of thumbnails allowed can be more than fits on the toolbar by allowing the user to scroll frame 3. Of course, the ad toolbar may be oriented horizontally rather than vertically in which case, as new thumbnails are



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added, the older thumbnails are moved to the left or to the right. Further, rather than the oldest thumbnail being removed completely, once more thumbnails are presented than can be displayed in the space allocated for the ad toolbar, the ad toolbar can be set up to scroll so that the oldest thumbnails can be retrieved at any time by scrolling the ad toolbar as necessary (Col. 5, lines 21-31). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers, Bukszar, Weiss, Hightower, and Collins-Rector because all of these inventions relate to graphically depicting web page thumbnails. Adding the teaching of Collins-Rector provides the benefit of allowing the thumbnails to additionally be displayed in a toolbar with a scrolling feature.

8. Claims 5, 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayers in view of Bukszar, and in further view of Weiss, and in further view Kandogan et al. (hereinafter Kandogan, "Elastic Windows: A Hierarchical Multi-Window World-Wide Web Browser", 1997, ACM, pp. 169-177).

**In regard to dependent Claim 5 (and similarly dependent Claims 10 and 20),** neither Ayers, Bukszar nor Weiss teaches *displaying one or more thumbnail snapshots of bookmarked web pages in a second area of the screen*. However, Kandogan teaches such a limitation (see Pg. 171, Fig. 1; shows reduced in size (thumbnail) web pages in different areas of the screen). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers, Bukszar and Kandogan as all of these inventions relate to displaying web pages as thumbnails. Adding the teaching of Kandogan allows the thumbnails to be located throughout the browser page.

9. Claims 13, 15 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayers in view of Bukszar, and in further view of Weiss, and in further view Kandogan, and in further view of Robertson et al. (hereinafter Robertson, "Data Mountain: Using Spatial Memory for Document Management", 1998, ACM, pp. 153-162).

**In regard to dependent Claim 13 (and similarly dependent Claims 15 and 23), Ayers fails to explicitly teach *that the screen is embodied in a cellular phone; the thumbnail snapshots of the bookmarked web pages are arranged in a polar spatial organizational scheme*. However, Bukszar teaches that a display is connected to the computer. The computer may be any personal computer, laptop, palmtop, workstation, mainframe, etc. The display monitor may be any suitable display console as is known in the art including a CRT, LCD, flat panel, etc. (Col. 3, lines 6-10). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers and Bukszar as both inventions relate to the display of accessed web pages as thumbnail images. Adding the teaching of Bukszar provides the benefit of specific devices and displays to carry out the invention of Ayers.**

**None of Ayers, Bukszar, Weiss, or Kandigan teaches *thumbnail snapshots of the bookmarked web pages are arranged in a polar spatial organizational scheme*.**

**However, Robertson suggests the possibility of displaying reduced sized web pages in any arrangement on the view screen (Pg. 153, Fig. 1; Pg. 155, Figs. 3-4 show different arrangements of thumbnail images of web pages on a screen). Robertson does not**

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explicitly teach a polar arrangement. However, it would have been obvious to one of ordinary skill in the art at the time of invention to realize that one could arrange thumbnails in any way that suited the user and/or the display device providing the benefit of ease of use when perusing the web pages as a whole. It also would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers, Bukszar, Weiss, Kandigan and Robertson as all of these inventions relate to globally displaying visual representations of web pages providing the user with a more complete idea of what to view in a larger form.

10. Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ayers in view of Bukszar, and in further view of Weiss, and in further view of Collins-Rector.

**In regard to dependent Claim 18**, all of Ayers, Bukszar, and Weiss fail to teach that *the thumbnail snapshot is displayed to the user in a toolbar*. However, Collins-Rector teaches a clickable button or thumbnail of an advertisement that appears in the toolbar frame as a new ad banner appears in another frame. These buttons can be selected to obtain further information about an item that appeared in the banner ad represented by the button (Col. 2, lines 54-62). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers, Bukszar, Weiss, and Collins-Rector because all relate to graphically depicting web page thumbnails. Adding the teaching of Collins-Rector provides the benefit of allowing the thumbnails to additionally be displayed in a toolbar.

**In regard to dependent Claim 19**, all of Ayers, Bukszar, and Weiss fail to teach that *the toolbar is able to scroll and display a plurality of thumbnail snapshots from the most recent to the least recent*. However, Collins-Rector teaches that the number of thumbnails allowed can be more than fits on the toolbar by allowing the user to scroll frame 3. Of course, the ad toolbar may be oriented horizontally rather than vertically in which case, as new thumbnails are added, the older thumbnails are moved to the left or to the right. Further, rather than the oldest thumbnail being removed completely, once more thumbnails are presented than can be displayed in the space allocated for the ad toolbar, the ad toolbar can be set up to scroll so that the oldest thumbnails can be retrieved at any time by scrolling the ad toolbar as necessary (Col. 5, lines 21-31). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Ayers, Bukszar, Weiss, and Collins-Rector because all of these inventions relate to graphically depicting web page thumbnails. Adding the teaching of Collins-Rector provides the benefit of allowing the thumbnails to additionally be displayed in a toolbar with a scrolling feature.

***Response to Arguments***

11. Applicant's arguments, see amendment, filed 02/24/2006, with respect to the rejection(s) of claim(s) 1, 6, and 16 under Ayers in view of Bukszar have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Weiss.

12. Specifically, Applicant argues that the prior art of Ayers, and Bukszar fail to teach the amended limitation of *comparing the accessed web page content to a previously accessed web page content and displaying the thumbnail snapshot of the accessed web page to the user in an area of a screen containing only history information if the accessed web page content and the previously accessed web page consent are not the same*. However, Weiss teaches returning search results accompanied by thumbnail images of the web pages and avoiding duplicate results to include avoiding duplicate thumbnails.

**Conclusion**

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H. Blackwell whose telephone number is 571-272-4089. The examiner can normally be reached on Mon-Fri.

14. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

15. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell  
04/24/2006

*William S. Bashore*  
**WILLIAM BASHORE**  
**PRIMARY EXAMINER**  
*4/28/2006*